

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INTREPIDUS, LLC, a member of Seductive
Approach LLC, suing in the right of
SEDUCTIVE APPROACH LLC,

Plaintiff,

-v-

No. 15-CV-7721-LTS-HBP

GLENN J. BIVINS and ERIC MONSE,

Defendants.

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ORDER ADOPTING REPORT & RECOMMENDATION

The Court has reviewed Magistrate Judge Pitman's September 16, 2019, Report and Recommendation (the "Report") (docket entry no. 90) which recommends that (i) judgment be entered against Defendant Glenn J. Bivins awarding Plaintiff Intrepidus, LLC \$35,500.00 in damages, and that (ii) Plaintiff's request for attorneys' fees and costs be denied. No objections to the Report have been received.

In reviewing a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate [judge]." 28 U.S.C.A. § 636(b)(1)(C) (LexisNexis 2017). "In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Johnson v. New York University School of Education, No. 00 Civ. 8117, at *1, 2003 WL 21433443 (S.D.N.Y. June 16, 2003).

The Court has reviewed carefully Magistrate Judge Pitman's thorough and well-reasoned Report and Recommendation and finds no clear error. The Court therefore adopts the

Report in its entirety for the reasons stated therein. Accordingly, the Clerk of Court is respectfully directed to enter judgment in Plaintiff's favor as against Defendant Glenn J. Bivins in the amount of \$35,500.00. Plaintiff's request for attorneys' fees and costs is denied. This Order resolves docket entry nos. 82 and 90.

SO ORDERED.

Dated: New York, New York
October 1, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge